

Tuesday, May 11, 1976

The Senate was called to order by the President at 9:00 a.m.
A quorum present—40:

Mr. President	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiasen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Sayler	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

Prayer by Mrs. Pat Hunter, Bible teacher from Miami:

Thank you God for the way you have blessed our country for 200 long years. Forgive us for our negative spirit of complaining. May 1976 stand out among all of the years as a statue of thanks in appreciation and rebuild in our hearts a grateful spirit as individuals and a nation.

Thank you God for Florida, our sunshine state. Be with those who meet in these chambers to make the laws for our state. May each one be aware of your great concern for his heart and needs. Free him from any personal prejudice. Give him the wisdom to make laws which are all for good and good for all—then the laws will reflect the spirit of the laws which you gave Moses many years ago. In the name of him who taught us how to pray and to whom to pray, even Jesus we make these requests. Amen.

BICENTENNIAL OBSERVANCE

The Fife and Drum Corps entered with Colors.

The Senate pledged allegiance to the flag of the United States of America.

The President recognized The Honorable Philip F. Ashler, narrator of the Bicentennial observances, who announced the activities for this day and the following were presented:

The Florida School for the Deaf and Blind Chorus, along with special interpreters, presented: *America the Beautiful, This Is My Country, America* and *God Bless America*.

Mr. Ashler: As in most southern states, free public education was late in coming to Florida. Indeed, it was not until reconstruction following the War Between the States that significant steps were taken to assure that a basic education was made available to all Florida's children. While the efforts were successful, they did not completely solve the problem. In 1905, the Legislature again addressed the issue and made an attempt to define exactly what education should be given to whom. In 1947, the Legislature enacted the historic Minimum Foundation Program and presented a public education system that effectively provided the basis of universal, free public education. In a democratic nation, this kind of educational system is crucial to the future development of its society. It is to Florida's credit that its school system works to produce educated adults to further the aims and the faith of the revolution of 200 years ago.

To review our educational background, I present to you the distinguished jurist, immediate past president of the University of Florida, and former Chief Justice of the Florida Supreme Court; a man I am proud to call my friend, The Honorable Stephen C. O'Connell.

Dr. O'Connell: While in recent years no other facet of life has attracted as much Legislative interest and so great a share of the public purse as public education, history reveals that our public school system had an exceedingly slow and meager beginning.

Beginning in 1822 with the organization of Florida as a territory lands were set aside by Congress for the support of primary schools and two institutions of higher education.

Although in 1839 the Territorial Legislature made an attempt to make possible a public school system, when Florida was admitted to the Union in 1845 only two counties, Franklin and Monroe, had established public schools.

In 1851 counties were first authorized to levy taxes for common schools and the Legislature generously provided that if income from the state school fund did not reach \$2.00 per child per year other state funds could be used to make up the difference.

Explained perhaps by the feeling of many in those years that pauper schools and public schools were synonymous, the Florida Constitutions of 1838, 1861 and 1865 neither recognized the importance nor mandated the establishment of a public education system. They simply provided that the proceeds of school lands be "appropriated to the use of Schools and Seminaries of Learning, . . . and to no other purpose".

It was in the Constitution of 1868, written by reconstructionists, that Florida's public education system had its beginning. That document in emphatic words established that:

"(Section 1.) It is the paramount duty of the State to make ample provisions for the education of all the children residing within its borders, without distinction or preference.

and mandated that:

"(Section 2.) The legislature shall provide a uniform system of common schools and a university, and shall provide for the liberal maintenance of the same. Instruction in them shall be free."

It also created the elective office of Superintendent of Public Instruction and the Board of Education comprised of three cabinet officers; provided for the levy of a special tax "of not less than one mill on . . . all taxable property in the State", with the proviso that "Each county raise annually by tax for support, of the common schools therein, a sum not less than one half" that apportioned to the county by the state; in effect established a minimum school year through the requirement that any school district which failed to operate its schools for at least three months in each year forfeit its share of the common school fund during such neglect; the common school fund interestingly was to be distributed among the counties on the basis of number of children between the ages of four and twenty-one years residing therein.

The concept of public higher education available to all at public expense became a reality with the authorization of land grant colleges by act of Congress in 1865, the Morrill Act.

The Constitution of 1885 dealt with education in many details, most significant changes being:

Adding the Governor and State Treasurer to the State Board of Education and the requirement that each county collect a property tax of not less than three, nor more than five mills. By amendment in 1904 the maximum tax was raised to seven mills and in 1918 to ten mills, its present limit.

In 1905 the Legislature enacted two statutes of lasting importance. One, Chapter 5328, Laws of Fla. (1905) for the first time carefully defined what the system of public education should be and do saying among other things that:

"(Section 1.) The uniform system of public free schools of the State of Florida shall provide for twelve consecutive school years of instruction, exclusive of kindergartens, normal school, colleges and universities, and such other schools as may be designated or established by the Legislature.

and

"(Section 2.) Each school year of instruction shall be designated as a grade, and no official course of study shall recognize less than a school year of eight months of instruction as constituting the work of a grade."

The statute also prescribed in detail the subjects required to be taught in each of the grades, including courses in morals and manners.

The second, the Buckman Act, abolished the state's eight colleges, seminaries, normal schools and institutes replacing them with a university system of the University of Florida, Florida State College for Women (now Florida State University) and a normal school (now FAMU), and created the Board of Control (now the Board of Regents) to direct their operation.

In 1919 the Legislature enacted the first state compulsory school attendance law applicable to all children between ages of eight and fourteen years. In the 1920's a marked development occurred in availability of vocational education.

In 1947 the Legislature acted wisely and decisively to insure, as best as laws can, substantially equal public educational opportunities to all children regardless of race or location through the establishment of the far-sighted Minimum Foundation Program and more than doubled the state aid to county schools.

Legislative actions in the 1950's initiated the dramatic growth in higher education with the authorization of new universities in each the Tampa area, in Palm Beach County and in Escambia County, provided funds for the then four junior colleges and for the establishment of six new ones.

To aid in construction of the facilities demanded both by the rapid increase in population and the ambitious expansion of community colleges and universities, the Legislature in 1951 submitted for adoption by the people a constitutional amendment pledging for 30 years (later increased to 35 years) the Motor Vehicle license proceeds to support bonds for capital construction of county schools, with a similar amendment pledging for 50 years the gross receipts utilities tax to support bonds for construction of facilities for institutions of higher learning and junior colleges, being adopted in 1963. Without these farsighted actions Florida public education could not have progressed as fast, as far, or as well as it has.

Those mentioned are but a few of the memorable events which have directed the great progress Florida has enjoyed in the building of its public education system, and progress worthy of plaudits, praise and satisfaction it has been.

But the truest test of progress and the best measure of the worth of any system, and any institution, is the result it produces in those who enjoy its benefits.

I am compelled to say that if we are now reduced to use of "functional literacy" as the basic measure of the benefit and more significantly as the public expectations of the result to be achieved in our public school education it may well be that our progress has been more apparent than real, a proposition I leave you to ponder.

Mr. President and Senators, it has been a privilege to appear before you and I might add a pleasurable relief not to do so hat in hand begging as has been my plight on all previous occasions.

The President expressed appreciation of the Senate for the program.

The Senate recessed at 9:20 a.m.

The Senate was called to order by the President Pro Tempore at 9:30 a.m. A quorum present—40:

Barron	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Saylor	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following bills be placed on Special Order Calendar for Tuesday, May 11, 1976, at 9:30 a.m.:

HB 3143	SB 569	SB 798	HB 1135
SB 96	SB 776	HB 1445	HB 75
SB 432	SB 696	HB 2272	HB 2983

HCR 3560	SB 501	SB 526	SB 614
SB 950	SB 552	SB 651	SB 519
SB 703	SB 518	SB 658	SB 529
SB 827	SB 524	SB 704	

Respectfully submitted,
Lew Brantley, Chairman

Honorable Dempsey J. Barron
President
The Florida Senate

Dear Mr. President:

Your Committee on Rules and Calendar met on May 4, 1976 to consider a motion by Senator Ware relative to introducing a bill of an emergency nature after the 18th day cut-off. The subject matter of the bill deals with administrative procedures.

The Committee voted unanimously to allow the bill to be introduced and considered during the 1976 session of the Legislature.

Respectfully submitted,
Lew Brantley, Chairman

Dear Mr. President:

Your Committee on Rules and Calendar met on May 6, 1976 to consider a motion by Senator Saunders relative to introducing a bill of an emergency nature after the 18th day cut-off. The subject matter of the bill deals with the nonpartisan election of school boards.

The Committee voted unanimously to allow the bill to be introduced and considered during the 1976 session of the Legislature.

Respectfully submitted,
Lew Brantley, Chairman

Dear Mr. President:

Your Committee on Rules and Calendar met this date to consider a motion by Senator Dunn relative to introducing a bill of an emergency nature after the 18th day cut-off. The subject matter of the bill deals with statute of limitations for crimes.

Your Committee also considered a motion by Senator Plante to introduce a bill of an emergency nature after the 18th day cut-off. His bill deals with alcoholic beverage licenses.

The Committee voted unanimously to allow both bills to be introduced and considered during the 1976 session of the Legislature.

Respectfully submitted,
Lew Brantley, Chairman

The Committee on Transportation recommends the following pass: SB 1236

The Committee on Judiciary-Civil recommends the following pass: SB 989

The Committee on Judiciary-Civil recommends the following pass: SB 930, HB 895 with 3 amendments

The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Commerce recommends the following pass: SB 573, SB 1117

The Committee on Commerce recommends the following pass: SB 636 with 2 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 1053

The Committee on Transportation recommends the following pass: SB 249 with 2 amendments

The Committee on Rules and Calendar recommends the following pass: SB 1019 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends the following pass: SB 628

The Committee on Natural Resources and Conservation recommends the following pass: SB 1231 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Judiciary-Civil recommends the following pass: SB 1259

The Committee on Commerce recommends the following pass: SB 666

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Judiciary-Civil recommends the following pass: HB 2382

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Commerce recommends the following pass: SB 452 SB 462 SB 464

The Committee on Commerce recommends the following pass: SB 559, SB 678 with 2 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 863 with 1 amendment

The Committee on Education recommends the following pass: SB 885

The Committee on Natural Resources and Conservation recommends the following pass: SB 1058

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce recommends the following pass:

HB 372	SB 505	SB 697
SB 439	SB 556	SB 982

The Committee on Judiciary-Civil recommends the following pass:

SB 345 with 2 amendments	HB 33 with 3 amendments
SB 471 with 1 amendment	HB 505 with 2 amendments
SB 493	HB 1682

The Committee on Judiciary-Civil recommends the following pass:

SB 306	SB 993
SB 748 with 1 amendment	HB 1886
SB 928	HB 2013 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass: SB 588, SB 1127

The Committee on Natural Resources and Conservation recommends the following pass: SB 1166 with 1 amendment, SB 1204

The Committee on Rules and Calendar recommends the following pass:

SJR 1301	SR 465
SCR 745 with 1 amendment	SCR 824
SB 938	

The Committee on Transportation recommends the following pass: SB 1234

The Committee on Commerce recommends the following pass:

HB 425	SB 981
HB 1302	SB 1061 with 1 amendment
HB 2537 with 2 amendments	SB 1090
SB 858 with 1 amendment	SB 1135

The Committee on Ways and Means recommends the following pass:

SB 34 with 2 amendments	SB 335	SB 415
SB 332	SB 336	SB 506
SB 333		

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 868, SB 1112

The bills with Committee Substitutes attached were referred to the Committee on Commerce under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 1183

The bill with Committee Substitute attached was referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 300

The bill with Committee Substitute attached was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 1145

The bill with Committee Substitute attached was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Education recommends a Committee Substitute for the following: SB 674

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 1276

The Committee on Commerce recommends a Committee Substitute for the following: SB 842

The Committee on Rules and Calendar recommends a Committee Substitute as recommended by the Committee on Judiciary-Civil for the following: SJR 458 with 3 amendments

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 31 with 1 amendment

The Committee on Commerce recommends a Committee Substitute for the following: SB 817

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 608

The Committee on Rules and Calendar recommends a Committee Substitute for the following: SJR 49 and SJR 81

The Committee on Education recommends a Committee Substitute for the Committee Substitute recommended by the Committee on Judiciary-Criminal for the following: SB 342

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Judiciary-Civil recommends the following not pass: HB 2811

The Committee on Commerce recommends the following not pass: SB 797

The Committee on Transportation recommends the following not pass: HB 1351

The bills contained in the foregoing reports were laid on the table.

REPORT OF SUBCOMMITTEE TO STANDING COMMITTEE

The Select Title Insurance Subcommittee of the Commerce Committee recommends to the standing committee SB 783 favorably with committee substitute.

ENROLLING REPORT

CS for SB 417 has been enrolled, signed by the required Constitutional Officers and filed with the Governor on May 10, 1976.

Joe Brown, Secretary

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lewis, the rules were waived and the Committee on Education was granted permission to consider Senate Bills 591, 1161 and 1325 at the meeting this day.

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote Senate Bills 1183 and 1224 were withdrawn from the Committee on Governmental Operations.

On motion by Senator Tobjassen, by two-thirds vote SB 1358 was withdrawn prior to introduction.

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote Senate Bills 449, 520, 604 and 613 were withdrawn from the Committee on Ways and Means and placed on the calendar.

On motion by Senator Gallen, by two-thirds vote SB 1134 was referred to the Committee on Judiciary-Civil as the first committee of reference. The bill, under the original reference, was referred to the Committee on Governmental Operations as the second committee of reference.

On motion by Senator Gallen, the rules were waived and the Committee on Judiciary-Civil was granted permission to consider SB 1134 at the meeting this day.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 132, 241 and SJR 341 were withdrawn from the Committee on Ways and Means and placed on the calendar.

On motion by Senator Dunn, the rules were waived and by two-thirds vote SB 682 was withdrawn from the Committee on Governmental Operations.

On motions by Senator Myers, the rules were waived and by two-thirds vote Senate Bills 636, 1063 and 1088 and House Bills 1292, 1826 and 2754 were withdrawn from the Committee on Governmental Operations.

On motion by Senator Vogt, the rules were waived and by two-thirds vote SB 712 was withdrawn from the Committee on Education and indefinitely postponed.

On motions by Senator Dunn, the rules were waived and by two-thirds vote Senate Bills 113 and 1159, Senate Joint Resolutions 262 and 114 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Saylor, the rules were waived and by two-thirds vote SB 1303 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Ware, the rules were waived and by two-thirds vote SB 989 was withdrawn from the Committee on Commerce.

On motion by Senator Brantley the rules were waived and the Committee on Ways and Means was permitted to meet at 12:15 p.m. this day until final consideration of the Senate General Appropriations Bill, and other scheduled committee meetings were delayed until adjournment of the meeting of the Committee on Ways and Means.

REQUESTS FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 15 days for consideration of the following:

CS for HB 483 by Judiciary Committee	SB 953 by Senator Dunn
SB 932 by Senator Ware	SB 955 by Senator Myers
SB 936 by Senator Deeb	SB 957 by Senator J. Lane
SB 940 by Senator J. Thomas	SB 974 by Senator Holloway
SB 942 by Senator J. Thomas	SB 975 by Senator Poston
SB 944 by Senator McClain	SB 977 by Senator Lewis

The Committee on Education requests an extension of 15 days for consideration of the following:

SB 961 by Senator Saylor	SB 690 by Senator Glisson
SB 972 by Senator Graham	SB 710 by Senator Vogt
SB 564 by Senator Saylor	SB 712 by Senator Vogt
SB 591 by Senator P. Thomas	SB 708 by Senator Glisson
SB 670 by Senator MacKay	SB 314 by Senator MacKay
SB 671 by Senator MacKay	

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

SB 400 by Senator MacKay	SB 946 by Senator Plante
SB 662 by Senator MacKay	SB 958 by Senator Henderson
SB 663 by Senator MacKay	SB 962 by Senator P. Thomas
SB 667 by Senator Henderson	SB 966 by Senators Lewis and Hair
SB 669 by Senator Tobjassen	SB 976 by Senator J. Thomas
SB 680 by Senator Vogt	SB 978 by Senators Myers and J. Thomas
SB 682 by Senator Dunn	SB 979 by Senator Dunn
SB 683 by Senator Vogt	SB 521 by Senator W. D. Childers
SB 684 by Senator Vogt	SB 522 by Senator W. D. Childers
SB 685 by Senator Vogt	CS for SB 166 by Judiciary-Civil Committee and Senator Glisson
SB 686 by Senator Saylor	
SB 687 by Senator Glisson	
SB 688 by Senator Glisson	
SB 692 by Senator Vogt	
SB 706 by Senator Vogt	
SB 945 by Senator MacKay	

The Committee on Health and Rehabilitative Services requests an extension of 15 days for the consideration of the following:

SB 19 by Senator Poston	SB 198 by Judiciary-Criminal Committee
SB 32 by Senator Deeb	SB 716 by Senator Gordon
SB 129 by Senator Gallen	SB 886 by Senator Wilson
SB 245 by Senators Ware and Glisson	SB 937 by Senator Henderson
SB 436 by Senator Deeb	SB 947 by Senator Gordon
SB 472 by Senator Winn	SB 951 by Senators Scarborough and Hair
SB 491 by Senator Poston	SB 956 by Senator Myers
SB 492 by Senator Scarborough	SB 715 by Senators Gordon, Myers and MacKay
SB 497 by Senator Henderson	CS for HB 1096 by Health and Rehabilitative Services Committee
SB 601 by Senator Lewis	
SB 620 by Senator Glisson	
SB 691 by Senator Glisson	
SB 695 by Senator MacKay	
SB 707 by Senator Glisson	

HB 1811 by Representative Sheldon

HB 3259 by Criminal Justice Committee

Peter Kirill, Orange Park; C. Ben Holleman, West Palm Beach; Fred A. Turner, Tallahassee.

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following:

SB 821 by Senator Zinkil and others	SB 917 by Senator Gallen
SB 854 by Senator Wilson	SB 921 by Senator McClain
SB 855 by Senator Wilson	SB 928 by Senator Ware
SB 856 by Senator Wilson	HB 298 by Representative Melvin
SB 867 by Senator Myers	HB 849 by Representative Hutto
SB 883 by Senator Renick	
SB 884 by Senator Gordon	

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following:

SB 592 by Senator Myers	SB 764 by Senator Scarborough
SB 637 by Senator P. Thomas	SB 770 by Senator McClain
SB 638 by Senator Graham	SB 820 by Senator Spicola
SB 676 by Senator Trask	SB 860 by Senator W. D. Childers
SB 713 by Senator McClain	SB 933 by Senator McClain
SB 31 by Senators Spicola, Deeb	SB 941 by Senator Dunn
SB 592 by Senator Myers	SB 952 by Senator Deeb
SB 637 by Senator P. Thomas	HB 1300 by Representative Langley
SB 638 by Senator P. Thomas	HB 2638 by Representative McDonald
SB 443 by Senator Gordon	
SB 718 by Senator Gordon	
SB 735 by Senator Deeb	
SB 749 by Senator Firestone	

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following:

SB 574 by Senator Poston	SJR 643 by Senator Myers
SB 607 by Senator W. D. Childers	SB 970 by Senator Spicola
SB 610 by Senator W. D. Childers	SB 973 by Senator Spicola

The Special Master for Claims requests an extension of 15 days for consideration of the following:

HB 272 by Representative T. Lewis	SB 61 by Senator McClain
HB 277 by Representative Melvin	SB 100 by Senator Graham
HB 644 by Representative Morgan	SB 123 by Senator Lewis
HB 669 by Representative Rish	SB 169 by Senator Peterson
HB 671 by Representative Rish	SB 178 by Senator Renick
HB 1432 by Representative Skinner	SB 179 by Senator Renick
	SB 201 by Senator Lewis
	SB 238 by Senator McClain
	SB 285 by Senator Johnston
	SB 289 by Senator Wilson
	SB 488 by Senator D. Childers

The Committee on Transportation requests an extension of 15 days for consideration of the following:

SB 968 by Senator Poston

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate

Member of the Condominium Advisory Board, appointed by the Chairman, Board of Business Regulation, for a term at pleasure of the Board, subject to confirmation by the Senate, pursuant to Section 711.808, Florida Statutes:

Betty L. Hazard, Jacksonville Beach

—which was referred to the Select Committee on Executive Suspensions.

Members of the Fire Fighters Standards Council, appointed by State Fire Marshal, for a term at pleasure of State Fire Marshal, subject to confirmation by the Senate, pursuant to Section 633.31, Florida Statutes:

—which were referred to the Select Committee on Executive Suspensions.

The Secretary of State on May 10, 1976 certified that pursuant to the provisions of Section 112.071 (1) (b), Florida Statutes, a commission subject to confirmation by the Senate had been prepared for the following:

Robert W. Padrick, Fort Pierce; Member of the Governing Board of the Central and Southern Florida Flood Control District.

—which was referred to the Select Committee on Executive Suspensions.

The Governor advised on May 10, 1976 he had appointed Charles F. Wilson as a member of the State Board of Independent Colleges and Universities for term ending August 18, 1977, and requested confirmation by the Senate during the current session of the Legislature.

—which was referred to the Select Committee on Executive Suspensions.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Dempsey J. Barron, President

I am directed to inform the Senate that the House of Representatives has passed—SB 422 SB 255

Allen Morris, Clerk

The bills were ordered enrolled.

On motion by Senator Renick, the rules were waived by unanimous consent and the Senate reverted to Introduction for the purpose of introducing the following resolution out of order:

INTRODUCTION

By Senator Renick—

SR 1422—A Senate Resolution in memoriam of Senator John Maloney Spottswood.

—which was read the first time in full. On motion by Senator Renick, SR 1422 was placed on the calendar.

On motion by Senator Renick, by two-thirds vote SR 1422 was read the second time by title and adopted. The vote on adoption was:

Yeas—40

Mr. President	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Sayler	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

Nays—None

Senators Barron, Brantley, W. D. Childers, D. Childers, Deeb, Dunn, Firestone, Gallen, Glisson, Gordon, Graham, Hair, Henderson, Holloway, Johnston, D. Lane, J. Lane, Lewis, MacKay, McClain, Myers, Peterson, Plante, Poston, Saunders, Sayler, Scarborough, Sims, Spicola, Stolzenburg, J. Thomas, P. Thomas, Tobiassen, Trask, Vogt, Ware, Wilson, Winn and Zinkil were recorded as co-introducers of SR 1422.

By Senators Renick, Graham, Winn, Gordon, Firestone, Myers, Poston, Holloway, Barron, Brantley, W. D. Childers, D. Childers, Deeb, Dunn, Gallen, Glisson, Hair, Henderson, Johnston, D. Lane, J. Lane, Lewis, MacKay, McClain, Peterson, Plante, Saunders, Saylor, Scarborough, Sims, Spicola, Stolzenburg, J. Thomas, P. Thomas, Tobiasen, Trask, Vogt, Ware, Wilson and Zinkil—

Senate Resolution No. 1422

A SENATE RESOLUTION IN MEMORIAM OF SENATOR JOHN MALONEY SPOTTSWOOD

WHEREAS, the past year saw the loss to the people of his community and to the entire state of Senator John M. Spottswood, who was successful in business, active in local, state and national politics since the 1940's, and was possessed of a political awareness and leadership skill which brought recognition and benefit to his beloved State of Florida, Monroe County and the City of Key West, and

WHEREAS, he was always respectful and understanding of the individual, and

WHEREAS, he was the devoted husband of Mary S. Spottswood, the son of Florence M. Spottswood, and the father of Florence G. Spottswood, John M. Spottswood, Jr., William B. Spottswood, and Robert A. Spottswood, and

WHEREAS, his demise is marked by a sense of deep loss and sadness, and

WHEREAS, we would honor his memory and express our condolences, NOW, THEREFORE,
BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That this resolution be spread upon the pages of the Journal of the Senate of the State of Florida—

IN MEMORIAM

JOHN MALONEY SPOTTSWOOD

A FORMER MEMBER OF THE FLORIDA SENATE—who was born in Key West, Florida, on June 17, 1920, educated in the Monroe County public schools, and was graduated from Riverside Military Academy. At the outbreak of World War II Mr. Spottswood entered the United States Army as a lieutenant and became a captain within 2 years. When the war was over, he returned to his hometown to build the first radio broadcasting station in Key West and was its president and general manager from its inception. During the Cuban Crisis this station, WKWF, received recognition from the United States Government "For Service of Special Merit." He was sheriff of Monroe County from 1952 to 1963, during which time he was instrumental in abolishing the fee system for sheriffs, in establishing a budget, retirement and qualification system for the sheriffs of this state and in the establishment of the Florida Sheriffs' Bureau and the Florida Sheriffs' Boys Ranch. Sheriff Spottswood served as president of the Florida Sheriffs' Association, Chairman of the Board of Directors, Chairman of the Legislative Committee, first Chairman of the Board of Trustees of the Florida Sheriffs' Boys Ranch, and as a member of the Administrative Board of the Florida Sheriffs' Bureau. Mr. Spottswood exerted great influence upon the State of Florida, while serving as Senator in the Florida Senate from the 41st District, from 1963 to 1967, during which time he served on all the major committees of the Senate. Always keenly aware of the needs of the people of his community, he was successful in bringing to Monroe County its own Florida Keys Community College, in establishing a Road Study Commission and a Highway Authority to plan the 4-laning of U.S. 1, the Overseas Highway, in Monroe County, and in introducing physical fitness programs in schools of Florida. Mr. Spottswood was a member and active participant of innumerable organizations which benefitted the people of his community and of this state. He brought to his public endeavors that same degree of business acumen that he exhibited in the conduct of his private enterprises, and the citizens and the State of Florida are indebted to John Maloney Spottswood for his efforts and feel his loss with great sorrow.

BE IT FURTHER RESOLVED that a copy of this Resolution, duly attested, together with the condolences of the Senate, be forwarded to the family of the late Senator John Maloney Spottswood.

On motion by Senator Brantley the following remarks were ordered spread upon the Journal:

Senator Renick: Thank you Mr. President, Senators. It is with a great deal of honor that we, the Florida Senate, pay tribute to the late John M. Spottswood, who served in this body with distinction and honor for some four years.

I think those who were privileged to know John Spottswood really had a unique experience in life.

John loved Florida. He especially loved the Florida Senate. I know many of you had the privilege of serving with John here in the Senate. I had the privilege of serving with him as a member of the Florida House.

I'd like to ask Senator Ralph Poston, who was also a personal friend of the senator's to make a few remarks at this time.

Senator Poston: Mr. President, members of the Senate, I had the distinct honor of serving with John as a senator and also working with him as a friend and trying to solve the problems of Monroe County.

He was a sincere, truly dedicated individual. The kind of person that's very rare on the face of the earth, because his sole objective in life was to try to help other people.

He served as a representative, sheriff and then senator. Prior to that he served in the U.S. Navy. His public service goes back over most of his entire lifetime.

The unique thing about John Spottswood was that he always met you on the level; he always talked to you straight; he'd give you advice and suggestions that were helpful; he always planned ahead; and he understood politics from one end to the other. He was probably one of the most totally political individuals, understanding politics from the word go, that I ever had the privilege of knowing.

He was a gracious host. You could never go to his home without feeling that you were at home. His wife Mary is one of the best cooks - especially cooking steak for breakfast and chips with lime. That's a conch custom, and if you ever have the opportunity to have it extended to you by all means accept it.

One of the most important things I can remember about John was his investing in time in his family and his political career and investing knowledge in his sons and daughter. The fact is, he was a good father, a good sailor, a good legislator, a good sheriff and a good husband. All these things add up to a fine person, a man that left his mark and made a contribution.

I'd like to just share with you one other thing. I attended the funeral of Senator Spottswood in Key West. The day was dreary; it rained. When we went out in the funeral procession to the cemetery - they had a graveside ceremony with a military color guard - just as the arms were fired in a salute as a tribute to this fine senator the clouds parted, the sun came out and four navy jets went overhead. I thought that was a beautiful tribute, that even the Man upstairs took part in these final rites for this great man. Thank you.

Senator Stolzenburg: Mr. President, I would also like to add a few words. I'm very moved this morning because I had great admiration for Senator Spottswood. As you well know, the legislators from Broward County were elected to serve the Monroe County area also. When this happened Senator Spottswood recognized the fact that the chips were down and that he couldn't be elected. He recognized also that he had to come to Broward County legislators for help in case he wanted any specific legislation approved that he had sponsored in previous years.

He had always been a very close friend of ours. When we went to Key West he had that great big Cadillac ready to take us around. He was a gracious host and I had great admiration for this senator.

Senator Renick: Thank you, senator. We're very privileged to have the family of Senator Spottswood with us. Mrs. Mary Spottswood whom we all loved, the children; Jack and Bill, and Mrs. Spottswood, John's mother, was gracious enough to come up here today. Also I would like to recognize the sheriff of Monroe County, Sheriff Bobby Brown, and Mary Reynolds. We have the city commissioners from Key West. They came up for this occasion.

Senator Barron: Mr. President, just a word on the resolution.

I knew John Spottswood, along with Senator Henderson I guess, longer than anyone here today and his wonderful wife, Mary, and the family. To me he was Mr. Enthusiasm. I never met a person who was more enthusiastic about life, and about what he was doing, and about his district, than was John Spottswood.

He was a man who was a legend in his own time. I saw him last year in Key West. He was just as enthusiastic then as he was when he was here.

In the years to come, when people think of Key West they'll think of Harry Truman, Ernest Hemingway and John Spottswood.

I think it's appropriate that we pause here this morning to remember a man who made such a great contribution to his hometown and to his state.

The Presiding Officer introduced the following members of the family of the late Senator Spottswood: Mrs. Mary S. Spottswood, widow; John M. Spottswood, Jr., William B. Spottswood and Robert A. Spottswood, sons; Mrs. Florence M. Spottswood, mother; and Mary Reynolds, niece. Also introduced were Andrea Anderson, fiancée of William Spottswood, Henry V. Haskins, Key West Housing Authority; Bobby Brown, sheriff of Monroe County; Charles McCoy, mayor of Key West; Manuel

James, city attorney; Dennis Wardlow, Ralph Arnold and Bruce Esqualinaldo, city commissioners; and Lucy Hicks, finance director.

On motion by Senator Graham, by unanimous consent the following resolution was introduced out of order:

By Senator Graham—

SR 1438—A resolution commending the professional nurses of the State of Florida during Professional Nurses Week.

—which was read the first time in full. On motion by Senator Graham, SR 1438 was placed on the calendar.

On motion by Senator Graham, by two-thirds vote SR 1438 was read the second time by title and adopted. The vote on adoption was:

Yeas—40

Mr. President	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Plante	Thomas, P.
Childers, W. D.	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane, D.	Saunders	Vogt
Firestone	Lane, J.	Sayler	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

Nays—None

Senators Barron, Brantley, W. D. Childers, D. Childers, Deeb, Dunn, Firestone, Gallen, Glisson, Gordon, Hair, Henderson, Holloway, Johnston, D. Lane, J. Lane, Lewis, MacKay, McClain, Myers, Peterson, Plante, Poston, Renick, Saunders, Sayler, Scarborough, Sims, Spicola, Stolzenburg, J. Thomas, P. Thomas, Tobiassen, Trask, Vogt, Ware, Wilson, Winn and Zinkil were recorded as co-introducers of SR 1438.

On motion by Senator Zinkil, by unanimous consent—

SB 673—A bill to be entitled An act renaming the Broward Beach State Recreation Area as the John U. Lloyd State Recreation Area; directing the Department of Natural Resources to supply suitable markers; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Zinkil, by two-thirds vote SB 673 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Brantley	Hair	Plante	Tobiassen
Childers, D.	Henderson	Poston	Trask
Childers, W. D.	Johnston	Renick	Vogt
Deeb	Lane, D.	Saunders	Ware
Dunn	Lane, J.	Sayler	Wilson
Firestone	Lewis	Scarborough	Winn
Gallen	MacKay	Sims	Zinkil
Glisson	McClain	Spicola	
Gordon	Myers	Stolzenburg	
Graham	Peterson	Thomas, J.	

Nays—None

Vote after roll call:

Yea—Holloway

SPECIAL ORDER

HB 3143—A bill to be entitled An act relating to racing; adding subsection (13) to s. 550.37, Florida Statutes, authorizing certain holders of ratified permits to conduct harness racing to apply for and receive a license to conduct dograce meetings in lieu of harness racing at such harness tracks under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 3143 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Brantley	Henderson	Saunders	Tobiassen
Childers, D.	Holloway	Sayler	Trask
Childers, W. D.	Lane, J.	Scarborough	Vogt
Deeb	Lewis	Sims	Ware
Gallen	McClain	Spicola	Wilson
Glisson	Myers	Stolzenburg	Winn
Gordon	Plante	Thomas, J.	
Hair	Renick	Thomas, P.	

Nays—9

Dunn	Johnston	Peterson	Zinkil
Firestone	Lane, D.	Poston	
Graham	MacKay		

SB 709 was laid on the table.

On motion by Senator Brantley, the rules were waived and HB 3143 was ordered immediately certified to the House.

SB 96—A bill to be entitled An act relating to motor vehicles; amending s. 325.16, Florida Statutes; requiring the removal of portion of inspection sticker on a vehicle failing safety equipment inspection; providing a period for correction of defects; providing for extension of such period; limiting the operation of vehicles with certain defects; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Poston and failed:

Amendment 1—On page 2, line 5, following "defect," insert: *It is unlawful to operate any vehicle on any of the streets or highways which is required under the laws of this state or any political subdivision thereof to be inspected, unless the vehicle has been inspected and has attached thereto, in proper position, a valid and unexpired certificate of inspection as required.*

Senator Poston moved the following amendment which was adopted:

Amendment 2—On page 2, strike line 4 and insert: provided in s. 316.285(3), for the purpose of allowing the owner

Senator Holloway moved the following amendment which was adopted:

Amendment 3—On page 2, line 10, strike "may" and insert: shall

Senator Graham moved the following amendment which was adopted:

Amendment 4—On page two, lines 26-28, after "inspection;" strike: "without additional charge; however, upon payment of the inspection fee, the vehicle may be reinspected at another safety equipment inspection station." and insert: *or at another safety equipment inspection station, without additional charge.*

Senator McClain moved the following amendment:

Amendment 5—On page 2, line 2, strike "*15 calendar 30*" and insert: 30

Amendment 5 was adopted by the following vote:

Yeas—20

Deeb	Hair	McClain	Stolzenburg
Dunn	Henderson	Peterson	Trask
Gallen	Holloway	Plante	Vogt
Gordon	Lane, D.	Sims	Ware
Graham	Lane, J.	Spicola	Wilson

Nays—14

Childers, D.	Firestone	Johnston	Poston
Childers, W. D.	Glisson	MacKay	Renick

Saunders	Thomas, J.	Winn	Zinkil
Sayler	Thomas, P.		

Senator McClain moved the following amendments which were adopted:

Amendment 6—On page 2, lines 5-11, strike "*If the defects are not corrected within the 15-day period, the vehicle shall be removed from the highways. If the owner or operator submits written evidence that the parts necessary to correct the defects are on order and will not be available within the initial 15-day period, the department may authorize an extension of up to 15 calendar days.*"

Amendment 7—On page 2, line 12, strike "*extension period*" and insert: *30 day period*

Amendment 8—On page 2, line 15, strike "*316.026*" and insert: *318.18(3)*

Amendment 9—On page 2, lines 15-23, strike everything on these lines beginning with "A vehicle" through "s. 316.026."

Amendment 10—On page 2, line 24, strike "*15 calendar 30*" and insert: 30

Amendment 11—On page 1, lines 8-10 in title, strike "providing for extension of such period; limiting the operation of vehicles with certain defects;" and insert: limiting the operation of vehicles with certain defects; providing a penalty;

On motion by Senator Poston, further consideration of SB 96 as amended was deferred. The bill was ordered engrossed.

SB 432—A bill to be entitled An act relating to real estate brokerage; creating s. 475.60, Florida Statutes; adding s. 475.-25(1)(j), Florida Statutes; requiring that advance fees accepted for listing or selling vacant land of 10 acres or less be deposited in an escrow account; requiring the broker to provide the owner certain information prior to taking such advance fees; requiring reports of expenditures of advance fees; requiring records of advance fee arrangements to be made available to the Florida Real Estate Commission; providing for suspension of registration for failure to comply; providing an effective date.

—was read the second time by title.

The committee on Commerce offered the following amendment which was moved by Senator Brantley and adopted:

Amendment 1—On page 1, line 29, strike "banking" and insert: state or federally insured financial

On motion by Senator Poston, by two-thirds vote SB 432 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Brantley	Hair	Peterson	Thomas, J.
Childers, D.	Henderson	Poston	Thomas, P.
Childers, W. D.	Holloway	Renick	Tobiassen
Deeb	Johnston	Saunders	Trask
Dunn	Lane, D.	Sayler	Vogt
Firestone	Lane, J.	Scarborough	Ware
Gallen	Lewis	Sims	Wilson
Gordon	MacKay	Spicola	Winn
Graham	McClain	Stolzenburg	Zinkil

Nays—None

Vote after roll call:

Yea—Glisson

SB 569—A bill to be entitled An act relating to restoration of civil rights; amending s. 944.292, Florida Statutes; requiring application for restoration of civil rights; deleting limitation on civil rights suspended; amending s. 944.293, Florida Stat-

utes; providing procedure for restoration; providing an effective date.

—was read the second time by title.

Senators Dunn and Saylor offered the following amendments which were moved by Senator Saylor and adopted:

Amendment 1—On page 1, line 30, and on page 2, line 3, strike the words "Pardon Board" and insert: Governor

Amendment 2—On page 1, strike lines 16-21 and insert: 944.292 Suspension of civil rights.—Upon conviction of a felony as defined in s. 10, Art. X, State Constitution, the civil rights of the person convicted shall be suspended in Florida until such rights are restored by a full pardon, conditional pardon, or restoration of civil rights granted pursuant to s. 8, Art. IV, State Constitution.

On motion by Senator Saylor, further consideration of SB 569 as amended was deferred.

On motion by Senator Glisson, the rules were waived and by two-thirds vote HB 2237 was withdrawn from the Committee on Commerce and placed on the calendar.

SB 776 was taken up and on motion by Senator Glisson—

HB 2237—A bill to be entitled An act relating to podiatry; creating s. 461.20, Florida Statutes, directing the Board of Podiatry Examiners to encourage and develop podiatric residence programs in hospitals; providing for the promulgation of rules by the board subject to stated conditions; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 2237 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Brantley	Hair	Myers	Thomas, J.
Childers, D.	Henderson	Peterson	Thomas, P.
Childers, W. D.	Holloway	Poston	Trask
Deeb	Johnston	Renick	Vogt
Firestone	Lane, D.	Saunders	Ware
Gallen	Lane, J.	Saylor	Wilson
Glisson	Lewis	Scarborough	Winn
Gordon	MacKay	Spicola	Zinkil
Graham	McClain	Stolzenburg	

Nays—None

Votes after roll call:

Yeas—Sims and Tobiasen

SB 776 was laid on the table.

SB 696—A bill to be entitled An act relating to the Florida Cemetery Act; amending s. 559.31(1), Florida Statutes; defining the scope of the act; amending s. 559.32(3), Florida Statutes; defining a cemetery; amending s. 559.33(1), (3)(a), (d), Florida Statutes; requiring legal entities operating a cemetery to be licensed; amending s. 559.37(1), (6)(a), Florida Statutes; providing for the regulation of cemeteries; amending s. 559.39(2), Florida Statutes; adding standards for licensing based on population and need; providing an effective date.

—was read the third time by title.

Senator J. Thomas moved the following amendment which was adopted by two-thirds vote:

Amendment 6—On page 1, line 23, strike "yard"

Senator MacKay moved the following amendments which were adopted by two-thirds vote:

Amendment 7—On page 4, line 3, strike Section 5.

Amendment 8—On page 1, in title, strike all of line 13 through and including line 15 and insert: providing an effective date.

Senator Graham moved the following amendment:

Amendment 9—On page 1, line 25, after "Burial" insert: , and

On motion by Senator MacKay, further consideration of SB 696 as amended was deferred.

The Senate resumed—

SB 569—A bill to be entitled An act relating to restoration of civil rights; amending s. 944.292, Florida Statutes; requiring application for restoration of civil rights; deleting limitation on civil rights suspended; amending s. 944.293, Florida Statutes; providing procedure for restoration; providing an effective date.

Senator Gordon moved the following amendment which failed:

Amendment 3—On page 1, strike all of lines 22-24 and insert: ~~such civil rights are automatically reinstated.~~ The only civil rights which shall be suspended by conviction are the rights to vote, hold public office, and serve on a jury.

The vote was:

Yeas—10

Dunn	Henderson	Spicola	Wilson
Gordon	Holloway	Stolzenburg	
Hair	Myers	Vogt	

Nays—19

Brantley	Lane, D.	Plante	Tobiasen
Childers, D.	Lane, J.	Saylor	Trask
Deeb	MacKay	Scarborough	Ware
Firestone	McClain	Sims	Zinkil
Johnston	Peterson	Thomas, J.	

Vote after roll call:

Nay—Glisson

On motion by Senator Saylor, by two-thirds vote SB 569 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Brantley	Holloway	Plante	Tobiasen
Childers, D.	Johnston	Renick	Trask
Deeb	Lane, D.	Saylor	Vogt
Dunn	Lane, J.	Scarborough	Ware
Firestone	Lewis	Sims	Wilson
Graham	MacKay	Spicola	Winn
Hair	McClain	Stolzenburg	Zinkil
Henderson	Peterson	Thomas, J.	

Nays—2

Gordon Myers

Votes after roll call:

Yeas—W. D. Childers, Gallen and Glisson.

SB 798—A bill to be entitled An act creating the "Florida Sunset Law of 1976"; providing for the termination of enumerated state governmental units and their subunits on listed dates; providing a deadline for reaching a recommendation as to continuance or termination on the February 15th immediately following review; providing that any unit or subunit which is terminated shall have 1 year in which to conclude its affairs after which time the specified unit, subunits and their personnel positions would be abolished and all unexpended funds would revert to the fund from which appropriation was made; providing for an 8-year limit on the life of any continued or newly created unit or subunit after which time review and evaluation procedures shall be repeated; providing for public hearings on the sufficient public need of units and subunits under review; providing for review and evaluation criteria; providing for a review and evaluation

criterion of a "zero-based review and evaluation"; providing for a select committee to assist in the implementation of the provisions of this act; providing that appropriate House and Senate committees, upon assignment of the Speaker and President, respectively, shall sit jointly and complete the review and evaluation process and that their recommendation report shall be submitted to the Legislature for distribution prior to the ensuing legislative session; providing for voting as to the termination or continuance of any unit or subunit by simple majority vote of both Houses; providing for the Auditor General to assist in the review and evaluation processes; providing that the Governor be urged to adopt a "zero-based review and evaluation" budgetary procedure; providing for the retention of all claims and rights of citizens; providing for severability; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendment which was moved by Senator Wilson and adopted:

Amendment 1—On page 6, line 6, after "termination" insert: as a whole or in part or alteration

The Committee on Governmental Operations offered the following amendment which was moved by Senator Wilson:

Amendment 2—On page 6, line 7, after "review." insert: The recommendation by the committee shall be prepared in bill form and filed by the committee in both the Senate and the House of Representatives.

Senator MacKay moved the following amendment to Amendment 2 which was adopted:

Amendment 2A—On page 1, line 3, after the period (.) insert: Unless the committee specifically recommends that trust funds be continued, or unless the continuation of such trust funds is necessary to protect the validity of existing bonds, all trust funds shall terminate and revert to general revenue upon termination of the agency utilizing the trust funds.

Senator Plante moved that the Senate reconsider the vote by which Amendment 2A was adopted. The motion failed.

Amendment 2 as amended was adopted.

The Committee on Governmental Operations offered the following amendments which were moved by Senator Wilson and adopted:

Amendment 3—On page 11, line 1, strike "1968"

Amendment 4—On page 11, line 2, after "Constitution." insert: The legislature shall make adequate provisions by law for the proper functions of state government contemplated by the Constitution. Nothing herein shall be construed to abrogate or transfer any legislative powers from the legislature of the state to any other branch of government. Further, adequate provision shall be made to protect the integrity of any outstanding bonds issued by any governmental unit subsequently terminated by this Act.

Senator MacKay moved the following title amendment which was adopted:

Amendment 5—On page 1, lines 14-16, strike "all unexpended funds would revert to the fund from which appropriation was made" and insert: providing for reversion of funds

The President presiding

On motion by Senator Brantley, the rules were waived and time of adjournment was extended until final action on SB 798.

Senator Dunn moved the following amendment:

Amendment 6—On page 6, line 29, strike lines 29-31 and insert: all interested parties. All units

Amendment 6 was adopted by the following vote:

Yeas—23

Childers, D.	Gordon	Lewis	Stolzenburg
Childers, W. D.	Graham	McClain	Thomas, J.
Deeb	Henderson	Myers	Trask
Dunn	Johnston	Poston	Winn
Firestone	Lane, D.	Sayler	Zinkil
Gallen	Lane, J.	Sims	

Nays—10

Glisson	Peterson	Tobiassen	Wilson
Hair	Plante	Vogt	
MacKay	Scarborough	Ware	

Vote after roll call:

Yea—Spicola

Senator Gordon moved the following amendment:

Amendment 7—On page 10, line 14, strike the period and insert: ; provided, however, if the Legislature so determines by an appropriate addendum to the appropriations act, Legislative adoption of an appropriation for a unit or subunit of government shall be deemed to constitute the review and authorization for continuance required by this act.

On motion by Senator Dunn, the rules were waived and the Select Committee on Executive Suspensions was granted permission to consider this day noncontroversial pending confirmation matters which were not disposed of at the previous meeting. Senator Dunn announced cancellation of the hearing this day re the executive suspension of Jimmy Dan Josey.

Senator P. Thomas gave notice of his intention to move that Rule 3.7 be waived and SB 1361 be introduced out of order.

CO-INTRODUCERS

Senator Graham—SB 472; Senator Wilson—CS for SB 86; Senators J. Thomas and Sims—SB 1075; Senator Gallen—SB 1270; Senator Sims—SJR 266 and SB 267.

Senator Gallen—withdrawn as co-introducer of SB 798.

The Journal of May 6 was corrected and approved as follows:

Page 262, column 1, line 24, strike "77" and insert: 97

Page 265, counting from bottom of column 2, line 13, strike "," and insert: —SB 472;

The Journal of May 4 was further corrected and approved as follows:

Page 227, column 2, line 14, strike "HB" and insert: SB

The Journal of May 3 was further corrected and approved as follows:

Page 205, counting from bottom of column 2, line 22, strike "1007" and insert: 1107

On motion by Senator Brantley, the Senate adjourned at 12:17 p.m. to convene at 8:30 a.m., May 12, 1976 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., May 12.

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE

APRIL 30—MAY 6, 1976

Name & Address; Entity Represented & Address if different; Legislation Involved; Association with Legislator if any

- Ackerman, Tamara Ann** 206 Rentz Ave Pensacola 32507 Self Students' rights
- Allen, Wayne L.** 1111 S Bayshore Dr Miami 33131 General Development Corp Land sales, construction & development
- Allen, Woodrow M.** 1155 15th St, NW Washington, DC 20005 Pharmaceutical Manufacturers Assn Pharmaceutical industry
- Andrews, R. Jeff** Migrant Labor Program 2571 Exec Center Circle East Tallahassee 32301 Dept of Community Affairs Community Affairs
- Babcock, Judith M.** Amer Assn Univ Women 731 W Ilex Dr Lake Park 33403 AAUW Interests
- Barnes, George J.** Box 897 Deerfield Beach 33441 Deerfield Beach Civic Assn, Inc Taxes
- Barrineau, Jackie** 6551 Palafox Hwy Pensacola 32503 Escambia Educ Assn Public Education
- Bass, Rowena** 4745 SW 43 Terr Ft Lauderdale 33314 Self & Director Taxpayers League Taxes
- Bauman, Frank V.** 6320 Arlington Rd Jacksonville 32211 Self 819 Leafy Lane Jacksonville General
- Beaty, Keith D.** Fla Solar Energy Center 300 SR 401 Cape Canaveral 32920 Fla Solar Energy Center Governor
- Boekhoff, Henry R.** 1410 NE 2nd Ave Miami 33132 Dade Co Public Schools Education
- Born, Dorothy M.** 7114 NW 57th Dr Tamarac 33319 Tamarac Homeowner's Assn Escalation Clause Rec Lease-Land Lease Taxes
- Born, Durrell J.** 7114 NW 57th Dr Tamarac 33319 Tamarac Homeowners Assn Escalation Clause Rec Lease-Land Lease Taxes
- Burnell, V. W.** 2732 NE 16 Ave Wilton Manors 33334 Self & Taxpayer League of Broward Co Taxes
- Carr, Bradley D'O.** 37 Pen Haven Dr Pensacola 32506 Self Students' Rights
- Coe, Constance D.** 1205 SE 11th St Ft Lauderdale 33316 Self Taxes
- Creel, Greg** 515 W 6th Ave Tallahassee 32303 Self Education & Finance
- Czatt, Nancy J.** 4335 Wycliffe Dr Pensacola 32504 Amer Assn of Univ Women 200 E College Tallahassee 32301 AAUW Legislative Program
- Dady, Vannye W.** 3132 Tipperary Dr Tallahassee 32303 Women for Responsible Legislation Education, ERA, Others
- Davis, Elizabeth M.** 3091 NW 46 Ave Lauderdale Lakes 33313 Self General & Taxes
- Davis, Jeff V.** 1127 Washington St Tallahassee Fl Teaching Profession 325 John Knox Rd Tallahassee 32303 Education School Media Centers
- Davis, W. Janson** 670 N Courtway Parkway Merritt Island 32952 Self General
- Doheny, David A.** 1111 S Bayshore Dr Miami 33131 General Development Corp Land Sales, Development & Construction
- Druffel, Thomas** FSU Box 4201 Tallahassee 32313 Hotel & Restaurant Div General
- Dubbin, Murray H.** 444 Brickell Ave Miami 33131 Miami Beach Redevelopment Agency 1212 5th St Miami Beach Community Development also American Sightseeing Tours Inc 1000 NW LeJuene Rd Miami also Red Top Sedan Service Inc 1000 NW LeJuene Rd Miami Motor Carrier Act & Transportation Law
- E'we, Catherine** 809 SE 6th St Ft Lauderdale 33301 Self Taxes
- E'we, David** 809 SE 6th St Ft Lauderdale 33301 Self Taxes
- Farwell, James W.** 4251 Univ Blvd So Jacksonville 32216 Self General
- Fernandez, B. E.** Div of Hotels & Restaurants John's Bldg, S Bronough St Tallahassee 32304 Dept of Business Regulation Business Regulation
- Foster, Bessie W.** 2731 NE 1st Terr Pompano Beach 33064 Self Taxes
- Foster, Roy M.** 2731 NE 1st Terr Pompano Beach 33064 Self & Taxpayers League of Broward Co 200 SW 2nd St Pompano Taxes
- Fredgant, Don** 1115 W King St Quincy 32351 Self Antiques Fraud Reproductions
- Glinkie, Gladys** 1900 SE 5th Ct Pompano Beach Broward Tax League Taxes
- Goldenberg, Alexander** 9420 S Hollybrook L. Dr Pembroke Pines 33025 Task Force on Consumer Affairs Professional Licensure by Credentials
- Gorlin, Herbert** 235 Plaza Bldg 245 SE 1st Street Miami 33131 Fla Hearing Aid Society Hearing Care
- Gregg, William G.** 2540 NE 26th Ave Ft Lauderdale 33305 Self Taxes
- Grigg, Harry K.** 1681 JFK Causeway Miami 33141 Burns International Security Services, Inc Private Security Services
- Gropper, Bernard** 4141 NW 44 Ave Ft Lauderdale 33319 Licensure by Credentials for M.D. & D.D.'s
- Harper, Arthur L., Jr.** 1111 S Bayshore Dr Miami 33131 General Development Corp Environmental Regulation
- Holdnak, Mildred Walden** 200 E College Tallahassee 32301 Amer Assn of Univ Women 4849 Balmoral Dr Pensacola 32504 AAUW Legislative Program
- Hubbard, Jenia I.** 4711 Lexington Ave Jacksonville 32210 Self General
- Hubbard, Stanley M.** 4711 Lexington Ave Jacksonville 32210 Self General
- James, Raymond R.** 301 N Ocean Blvd Pompano Beach 33062 Self Taxes
- Jones, Douglas P.** 131 N Gadsden Tallahassee 32302 Fla Scrap Processors Assn Box 17009 Pensacola Scrap Processing also Disten Island Drainage District Box 425 Clewiston Water Management
- Jones, Patricia L.** 3740 Maule Rd Pensacola 32503 Amer Assn of Univ Women 200 College Ave Tallahassee 32301 AAUW Legislative Program
- Kellum, David Robert** 6551 Palafox Hwy Pensacola 32503 Escambia Educ Assn Public Education
- Kieley, Genevieve E.** 2223 Pembroke Rd Hollywood 33020 Self 915 NW 7th St Dania 33004 Taxes
- Landers, Joseph W., Jr.** 2562 Exec Center Circle, East Montgomery Bldg Tallahassee 32301 Dept Environmental Regulation Environmental Regulation
- Loucks, Connie** 200 SW 2nd St Pompano Beach 33060 Taxpayers League of Broward Co Taxes
- Lucke, Joseph C.** 9390 SW 77 Ave Miami 33156 Fla Hearing Aid Society Hearing Care
- Malcolm, Norman, Jr.** 2234 SE 11 St Pompano Beach 33062 Self Taxes
- Morrissey, Richard J.** 2116 NW 27 Terr Gainesville 32605 Self Insurance Risk Management
- Mueller, George E., Jr.** 300 S Duncan Ave Suite 100 Clearwater 33515 Suncoast Highland Corp Special Taxing Districts Land Sales

Norian, Alice K. 4903 NW 42 Terr Tamarac 33319 Tamarac Homeowners Assn 7114 NW 57th Dr Tamarac 33319 Removal of rec lease lien feature on private home in deed restriction with no disclosure or mutual contract

Opperman, Wayne 12000 NW 7 Ave North Miami Fla Horsemen's Benevolent Assn Pari-mutuel

Padgett, Norman E. 2689 N Kirk West Palm Beach 33406 Organized Fishermen of Fla Lake Okeechobee Game & Fresh Water Comm

Palmer, Barbara Jo Box 20121 Tallahassee 32304 Fl Recreation & Parks Assn Box 20165 Tallahassee 32304 Parks & Recreation

Ponce, S. Daniel 100 Biscayne Blvd North Suite 1011 Miami 33132 Fla Assoc of Marine Industries, Inc 320 Barnett Bank Tallahassee Maritime

Rose, Stuart P. 444 Brickell Ave M-135 Miami 33131 MacClean Service Co., Inc Building Maintenance

Rudge, Albert J. 301 N Ocean Blvd Pompano Beach 33062 Tax Payers League of Broward Co Taxes

Scheb, William J., Jr. Drawer 20067 Tallahassee 32304 Data Processing Management, Tallahassee Chapter Computer & Data Processing also Self Consumers

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